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7 *Attorneys for Plaintiff EnvTech, Inc.*

8 **UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF NEVADA**

10 ENVTECH, INC., a Nevada Corporation,
11 Plaintiff,
12 vs.
13 RICHARD VICTOR RUTHERFORD, an
14 individual,
15 Defendant.
16

Case No.: 3:21-cv-00048-MMD-CLB

**STIPULATION AND ORDER TO EXTEND
DEADLINE FOR FILING RESPONSES TO
DISPOSITIVE MOTIONS
[SECOND REQUEST]**

17 Plaintiff EnvTech, Inc. (“Plaintiff” or “EnvTech”) and Defendant Richard V. Rutherford
18 (“Defendant” or “Rutherford”) (collectively “the Parties”), by and through their respective counsel,
19 hereby stipulate and agree that the deadlines for filing responses and replies to the Parties’ pending
20 dispositive motions be extended for the reasons set forth below. The current deadline for filing
21 responses to the Parties’ pending dispositive motions is April 21, 2023. However, due to
22 unexpected staffing issues occurring this week as well as out of town depositions which were Court-
23 ordered in another case involving the undersigned plaintiff counsel, the Parties request an additional
24 one week to submit their respective opposition motions. As a result, the parties have agreed to
25 extend the deadline for filing responses to the pending dispositive motions by a period of seven (7)
26 days (from April 21, 2023, to April 28, 2023) and have further agreed to extend the deadline for
27 their respective replies by a period of seven (7) days (from May 5, 2023, to May 12, 2023).
28

The Parties have each filed dispositive motions. This is the second request specifically seeking extensions of the deadlines for responses and replies to dispositive motions. This request is made in good faith, is not for the purpose of delay. Accordingly, the Parties have agreed and stipulate to the following deadlines for the dispositive motions in this case:

1. *Responses to Dispositive Motions:*

The Parties shall file responses to dispositive motions no later than **April 28, 2023**.

2. *Replies in Support of Motions:*

The Parties shall file replies in support of motions no later than **May 12, 2023**.

2. *Pretrial Order:*

The Joint Pretrial order shall be suspended until thirty (30) days after the ruling on the dispositive motions.

DATED this 18 day of April 2023.

DATED this 18 day of April 2023.

SIMONS HALL JOHNSTON PC

OGLETREE, DEAKINS, NASH, SMOAK & STEWART,
P.C.

/s/ Sandra Ketner

/s/ Noel M. Hernandez

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Attorneys for Defendant

ORDER

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

April 18, 2023

DATED

PROOF OF SERVICE VIA ELECTRONIC SERVICE

I, Kelly Lee, declare:

I am employed in the City of Reno, County of Washoe, State of Nevada by the law offices of Simons Hall Johnston PC. My business address is 690 Sierra Rose Drive, Reno, Nevada 89511. I am over the age of 18 years and not a party to this action.

On April 18, 2023, I served the foregoing **STIPULATION AND ORDER TO EXTEND DEADLINE FOR FILING RESPONSES TO DISPOSITIVE MOTIONS [SECOND REQUEST]** by causing the document to be served via electronic service, addressed to the following e-mail addresses:

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this declaration was executed on April 18, 2023.

/s/ Kelly Lee
An Employee of Simons Hall Johnston PC

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